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Total Number of Pages in This Submission

Application Number 10/599,502

Filing Date September 29, 2006

First Named Inventor COATI

Art Unit

Examiner Name

Attorney Docket Number 7202-124

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Mark D. Passler, Registration No. 40,764
Akerman Senterfitt

Signature

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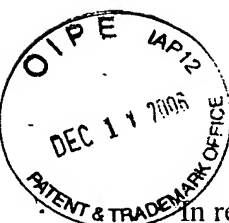
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of COATI et al.

Application No. 10/599,502

Examiner:

Filed: September 29, 2006


Group Art Unit:

For: INTRAMEDULLARY NAIL COMPRISING ELEMENTS OF SHAPE-MEMORY MATERIAL

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

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Reg. No. 40,764
Mark D. Passler

Commissioner for Patents
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Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. A copy of each foreign language reference is enclosed, along with an English-language abstract where necessary. The references were cited in part in the specification of the present application and in part in the PCT Search Report. A copy of the PCT Search Report is also enclosed, which satisfies the requirement for a concise explanation of foreign-language references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

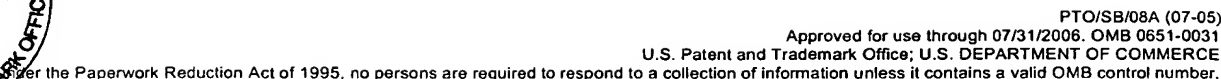
Respectfully submitted,

Dated: _____

11-30-06



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(Use as many sheets as necessary)

Sheet	1	of	1
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Application Number	10/599,502
Filing Date	September 29, 2006
First Named Inventor	COATI
Art Unit	
Examiner Name	
Attorney Docket Number	7202-124

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ² -Number ⁴ -Kind Code ³ (if known)	MM-DD-YYYY			
		JP-10-57398-A	03/03/1998	MONMA MITSURU		
		FR-2 783 702-A	03/31/2000	BERTHOLET, MAURICE		
		FR-2 727 304-A	05/31/1996	FELMAN, DANIEL		
		WO 03/007830-A1	01/30/2003	EXPANDING ORTHOPEDIC		
		DE-38 38 388-A1	05/17/1990	PFEIFER THOMAS		
		EP-0 772 420	05/14/1997	ORTHOFIX SRL		

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to office. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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